



3-08-04

PTO/SB/21 (02-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/729,330
		Filing Date	December 4, 2003
		First Named Inventor	Cameron A. Riddell
		Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	61	Attorney Docket Number	999205/100025

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Jones Day
Signature	
Date	March 4, 2004

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Jennifer Tai		
Signature		Date	March 4, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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999205-100025-US

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: CAMERON A. RIDDELL ) Group Art Unit: Not yet assigned  
Serial No. 10/729,330 ) ) Examiner: Not yet assigned  
Filed: December 4, 2003 ) )  
For: Electric Deterrent Device ) )

INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner for Patents  
Mail Stop DD  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant wishes to bring to the attention of the Patent Office the following patents:

- P1. U.S. Patent No. 3,294,893 to Shaffer, 12/27/1966
- P2. U.S. Patent No. 3,366,854 to Robinson, 1/30/1968
- P3. U.S. Patent No. 3,717,802 to Plevy, et al., 2/20/1973
- P4. U.S. Patent No. 4,299,048 to Bayes, 11/10/1981
- P5. U.S. Patent No. 4,706,941 to Sheridan, 11/17/1987
- P6. U.S. Patent No. 5,163,658 to Cleveland, 11/17/1992
- P7. U.S. Patent No. 5,850,808 to Burdick, 12/22/1998
- P8. U.S. Patent No. 6,283,064 to Djukastein, et al., 9/4/2001

A copy of each of the references and PTO Form 1449 listing them are enclosed herewith. Each is a U.S. document in English, so no translations are required.

Applicant also wishes to bring to the Examiner's attention the following non-patent document information:

- NP1. Bird Barrier America, Inc, pages 16 and 17 of its 1997 Catalog, published in the United States
- NP2. Bird Barrier America, Inc., pages 24 and 25 of its 2001 Catalog, published in the United States

NP3. Bird Barrier America, Inc., undated one-page Flyer of its "Bird Shock V2" device, published in the United States

NP4. Physical sample of Shock-Strip™ by Fly-Bye Bird Control Products; first public use or sale date unknown.

NP1, NP2 and NP3 each show a prior art device that was manufactured and sold by Bird Barrier of America, Inc., the company to whom the subject application has been assigned by the inventor.

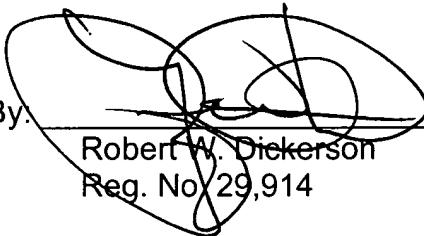
NP4 is a small portion of a physical sample of an electric bird deterrent device that has been sold by a company named Fly-Bye Bird Control Products under the trademark SHOCK-STRIP. While Applicant is not aware of the first date of sale or public use or disclosure of this device, Applicant does believe that this device has been sold in the United States since prior to December 4, 2002. As the Examiner will note, this product is a typical prior art electric deterrent device in which a pair of twisted wires are held by friction in place within appropriately sized channels in a non-conductive base.

Entertainment of the Information Disclosure Statement is Requested.

All applicable presumptions and reservations afforded by 37 CFR 1.56 et seq. regarding disclosure are incorporated herein by reference.

Respectfully submitted,

JONES DAY

By:   
Robert W. Dickerson  
Reg. No. 29,914

Date: March 4, 2004

555 West Fifth Street, 46<sup>th</sup> Floor  
Los Angeles, California 90013  
(213) 489-3939

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CERTIFICATE OF MAILING  
(37 C.F.R. §1.10)

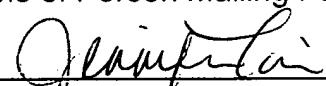
I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as Express Mail in an envelope addressed to the Hon. Commissioner for Patents, Mail Stop DD, P. O. Box 1450, Alexandria, VA 22313-1450.

EV 071441156 US

Jennifer Tai

Name of Person Mailing Paper

March 4, 2004



Date of Deposit

Signature of Person Mailing Paper



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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of 2

**Complete if Known**

Application Number	10/729,330
Filing Date	December 4, 2003
First Named Inventor	Cameron A. Riddell
Art Unit	
Examiner Name	
Attorney Docket Number	999205/100025

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
P1	US- 3,294,893	12/27/1966	Robert V. Shaffer	Entire patent	
P2	US- 3,366,854	01/30/1968	John W. Robinson	Entire patent	
P3	US- 3,717,802	02/20/1973	A. L. Plevy; Vincent Wepprecht	Entire patent	
P4	US- 4,299,048	11/10/1981	James W. Bayes	Entire patent	
P5	US- 4,706,941	11/17/1987	Thomas L. Sheridan	Entire patent	
P6	US- 5,163,658	11/17/1992	Robert G. Cleveland	Entire patent	
P7	US- 5,850,808	12/22/1998	Brett R. Burdick	Entire patent	
P8	US- 6,283,064	09/04/2001	Erik Djukastein; Roger Snow	Entire patent	
	US-				

**FOREIGN PATENT DOCUMENTS**

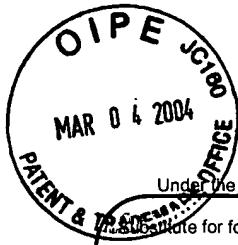
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	2	of	2	Attorney Docket Number	999205/100025
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**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	NP1	Bird Barrier America, Inc., pages 16 and 17 of its 1997 Catalog, published in the United States	
	NP2	Bird Barrier America, Inc., pages 24 and 25 of its 2001 Catalog, published in the United States	
	NP3	Bird Barrier America, Inc., undated one-page Flyer for its "Bird Shock V2" device, published in the United States	
	NP4	Physical sample of Shock-Strip™ by Fly-Bye Bird Control Products; first public use or sale date unknown.	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.  
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**Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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